C. 482 No. 228 of 2003

Hon'ble Irshad Hussain, J.

Heard Sri Navneet Kaushik learned counsel for the petitioner.

This is a petition under Section 482 of the Code of Criminal procedure for quashing the summoning order dated 14.12.2001 as well as the order dated 22-7-2003 passed by the leaned Sessions Judge in revision filed against the said order.

It is evident that the order of summoning the accused- / petitioners under Section 204 of the C.P.C. is based on prima facie case being established against them in view of the evidence adduced before the learned Magistrate. This court will not embark upon the inquiry as to the sufficiency of the evidence of the complainant or whether the same would be sufficient to sustain ultimately the conviction of the culprits.

Considering this, the order being passed on fair appraisal of the material before the learned Magistrate the petition lacks merit and the same is dismissed in limine.

Dated: 13.10.2003
ISB

(Irshad Hussain, J.)